

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE

1. **Title and its heading:** 3, Agriculture
Chapter and its heading: 4, Department of Agriculture - Plant Services Division
Article and its heading: 6, Arizona Native Plants
Section numbers: R3-4-613, R3-4-614, R3-14-616, and Appendix A
2. **Subject matter of the proposed rules:**
Considering the amount of time the Department currently spends checking native plants to verify their legality, this rulemaking will consider the addition of a fee for the Blue Metal Seal Moving Permit; reduce the fee for cholla and prickly pear cactus tags, update the protected plant lists in Appendix A, and consolidate and reformat the structure of the rule.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Shirley Conard, Rules Specialist
Address: Department of Agriculture
1688 West Adams, Room 124
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Department will accept written comments between 8 a.m. and 5 p.m. Monday through Friday.
The Department will accept oral comments between 8 a.m. and 4:30 p.m. Monday through Friday at the location listed above.
6. **A timetable for agency decisions or other action in the proceeding:**
Unknown.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF OPTOMETRY

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 21, Board of Optometry
Articles and their headings: 1, General Provisions
2, Licensing Provisions
3, Regulatory Provisions
Section numbers: R4-21-101 through R4-21-103, R4-21-201 through R4-21-208, and R4-21-301 through R4-21-308
2. **Subject matter of the proposed rules:**
The Board is amending its rules as the result of a 5-year-review conducted by the Board last year. It is bringing the rules up to current rulemaking drafting standards as well as making amendments and additions in order to clarify its standards and procedures for licensing optometrists and the practice of optometry.
3. **A citation to all published notices relating to the proceeding:**
Not applicable.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Flo Moore
Address: Department of Agriculture
1400 West Washington, Room 230
Phoenix, Arizona 85007

Arizona Administrative Register
Notices of Rulemaking Docket Openings

Telephone: (602) 542-3095

Fax: (602) 542-3093

5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Board will accept written comments submitted to Flo Moore from now until the close of record, which has not yet been determined.
6. **A timetable for agency decisions or other action in the proceeding:**
Not yet determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 3, Department of Economic Security - Unemployment Insurance
Articles and their headings: 14, Administration and Enforcement
15, Decisions, Hearings, and Orders
17, Conclusions
18, Benefits
50, Voluntary Leaving Benefit Policy
51, Misconduct Benefit Policy
52, Able and Available Benefit Policy
53, Refusal of Work Benefit Policy
54, Miscellaneous Benefit Policy
56, Labor Dispute Benefit Policy

Section numbers: R6-3-1402, R6-3-1405, R6-3-1408, R6-3-1501, R6-3-1505, R6-3-1708, R6-3-1804 through R6-3-1809, R6-3-5005, R6-3-5040, R6-3-5050, R6-3-50135, R6-3-50305, R6-3-50345, R6-3-50385, R6-3-50440, R6-3-50495, R6-3-50505, R6-3-51135, R6-3-51345, R6-3-5240, R6-3-5305, R6-3-5340, R6-3-5495, R6-3-54407, R6-3-5605, R6-3-5635, R6-3-56125, R6-3-56130, R6-3-56175, R6-3-56205, R6-3-56220, R6-3-56407, R6-3-56445, R6-3-56465, and R6-3-56470.
2. **Subject matter of the proposed rules:**
The Department of Economic Security operates the Unemployment Insurance (UI) program, authorized under Titles II and IX of the Social Security Act, the Federal Unemployment Tax Act, and A.R.S. Title 23, Chapter 4. The UI program, financed by a state and federal tax on employers, pays benefits for temporary periods to workers who are involuntarily unemployed. These rules govern the 3 major functions of the UI program: the collection of the unemployment tax, the payment of unemployment benefits, and an administrative appeal process. The rules continue to have merit and, with the exception of R6-3-1408 and R6-3-1809, the Department is not making any substantive changes in policy. However, many of the rules were adopted or last amended in the late 1970's and do not reflect the current format and style requirements. A number of the rules are being amended to improve clarity, to eliminate gender-specific terminology, and to delete language which merely quotes or paraphrases statutory text. Other rules are being repealed because they contain duplicative requirements or reflect internal procedure.

The amendments to R6-3-1809 include expansion of the types of training that will be approved by the Department. The adoption of R6-3-1408 is required by the enactment of HB 2085 which provides for the denial of benefits to employees of a qualified transient lodging employer during the off season.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Vista Thompson Brown, Legal Analyst
Address: Department of Economic Security
1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005

Telephone: (602) 542-6555
Fax: (602) 542-6000

OR

Arizona Administrative Register
Notices of Rulemaking Docket Openings

Name: Dave Berggren, Manager
Employment Security Administration Policy and Support

Address: Department of Economic Security
1789 West Jefferson, Site Code 701B4
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 701B4
Phoenix, Arizona 85005

Telephone: (602) 542-3771

Fax: (602) 542-3690

5. The time during which written submissions may be made and the time and place where oral comments may be made:

The Department will accept written comments from now until the close of record which has not yet been scheduled.

The Department has not scheduled an oral proceeding at this time.

6. A timetable for agency decisions or other action in the proceeding:

The Department expects to file proposed rule amendments with the Secretary of State's Office in late August 1996. The Department does not plan to conduct hearings on these amendments unless 5 or more people request a hearing because of the nonsubstantive nature of the amendments. The Department will accept written public comments for at least 30 days after publication of the proposed rules. The Department will then close the record and proceed to the Governor's Regulatory Review Council as expeditiously as possible.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 24, Department of Health Services - Medically Underserved Area Medical Services
Article and its heading: 4, Arizona Loan Repayment Program
Section numbers: R9-24-401 through R9-24-408 and R9-24-410 through R9-24-412. *(R9-24-409 is not changed).*

2. **Subject matter of the proposed rules:**
Arizona Loan Repayment Program.

3. **A citation to all published notices relating to the proceeding:**
None.

4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Belinda Ehlert, Program Manager

Address: Department of Health Services
1740 West Adams, Room 301
Phoenix, Arizona

Telephone: (602) 542-2954

Fax: (602) 542-1244

OR

Name: Stan Covey, Chief

Address: Department of Health Services
1740 West Adams, Room 301
Phoenix, Arizona

Telephone: (602) 542-1219

Fax: (602) 542-1244

5. **The time during which written submissions may be made and the time and place where oral comments may be made:**

To be published in the Notice of Proposed Rulemaking.

6. **A timetable for agency decisions or other action in the proceeding:**

This proposed rulemaking is expected to be submitted on or before June 30, 1996, and to be finally adopted by November 30, 1996.

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION

1. **Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 5, Industrial Commission of Arizona
Article and its heading: 8, Occupational Safety and Health Rules of Procedure
Section numbers: R20-5-801 through R20-5-829
2. **Subject matter of the proposed rules:**
Rules of Procedure for Occupational Safety and Health Hearings the Industrial Commission of Arizona.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Laura L McGrory, Assistant Chief Counsel
Address: Industrial Commission
800 West Washington Street
Phoenix, Arizona 85005
Telephone: (602) 542-5740
Fax: (602) 542-6783
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Industrial Commission will accept written and oral comments between 8 a.m. and 5 p.m. at the address listed above.
6. **A timetable for agency decisions or other action in the proceeding:**
Unknown.